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HEWLETT-PACKARD COMPANY

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CARL K. RICH, et al.,

Plaintiffs,

v.

HEWLETT-PACKARD COMPANY, et al.,

Defendants.

CASE NO. C 06 03361-JF (HRL)

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE CASE  
MANAGEMENT CONFERENCE AND  
REPORT ON MEDIATION**

PROPOSED

DATE: November 30, 2007

TIME: 10:30 a.m.

WHEREAS counsel for Plaintiffs and the Defendant participated in a mediation session administered by the Hon. James L. Warren (Ret.) of JAMS on July 9, 2007.

WHEREAS this initial mediation session did not result in a settlement, but the parties made some progress in isolating the issues which separate them, and they have scheduled a follow-up session for late October 2007, which will include the participation of Plaintiffs' expert consultant and a representative from Defendant.

WHEREAS the parties propose completing this process before scheduling pretrial and trial deadlines in this matter.

WHEREAS good cause exists for approving this Joint Stipulation, because it would provide the parties the necessary time to continue their informal discussions in an effort to attempt to resolve their dispute.


WHEREAS the parties have not exchanged formal discovery requests and believe that an exchange of such at this time might interfere with their informal exchanges and ongoing discussions.

WHEREAS both sides have worked cooperatively.

ACCORDINGLY, the parties, by and through their counsel of record, hereby stipulate to, and request the Court's approval to take the Case Management Conference scheduled on September 14, 2007, off calendar and continue it to November 30, 2007, or the next available date for the Court, to allow the parties to complete the initial mediation process.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

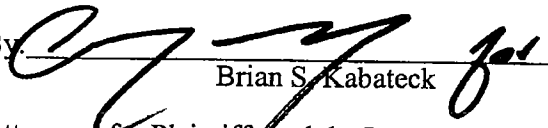
Dated: 9/12/07, 2007

  
The Hon. Jeremy Fogel  
United States District Judge

**IT IS SO STIPULATED.**

DATED: September 11, 2007

KABATECK BROWN KELLNER LLP

By:   
Brian S. Kabateck  
Attorneys for Plaintiffs and the Proposed Class

DATED: September 11, 2007

GIBSON, DUNN & CRUTCHER LLP

By:   
Peter Sullivan

Attorneys for Defendant HEWLETT-PACKARD  
COMPANY

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**CERTIFICATE OF SERVICE**

I, Christopher Chorba, hereby certify that on September 11, 2007, I caused the foregoing  
**JOINT STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE  
MANAGEMENT CONFERENCE AND REPORT ON MEDIATION** to be electronically filed  
and served upon the persons named below via the Court's Electronic Case Filing ("ECF") system.  
This document is available for reviewing and downloading from the ECF system.

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DATED: September 11, 2007

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By: \_\_\_\_\_ /s/ Christopher Chorba\* 

Attorneys for Defendant HEWLETT-PACKARD  
COMPANY

\*I hereby attest that I have on file all holograph  
signatures for any signatures indicated by a  
"conformed" signature (/s/) within this efiled document.

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